IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY EIGHTH DAY OF NOVEMBER
TWO THOUSAND AND SEVEN

PRESENT

THE HON'BLE SRI JUSTICE C.Y.SOMAYAJULU

WRIT PETITION No.25170 OF 2004

Between:

M/s.Swetha Wines, Manthani, rep. by its
Licencee Potu Bapu Reddy.

.... PETITIONER

AND

Commissioner of Prohibition and Excise,
Andhra Pradesh, Hyderabad, and others.

....RESPONDENTS

THE HON'BLE SRI JUSTICE
C.Y.SOMAYAJULU

WRIT PETITION No.25170 OF 2004

O R D E R

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Aggrieved by the inaction on the part of respondents in refunding the amount of Rs.1,12,500/- paid by the petitioner for grant of licence in Form IL-24, which was not granted, the petitioner filed this writ petition.

Counsel for the petitioner placing strong reliance on ***Y.SANJEEVA REDDY V/s. COMMISSIONER OF PROHIBITION AND EXCISE, HYDERABAD***[1] contended that though the petitioner is entitled to refund of the amount paid by him, the respondents are not refunding the same, and so, a direction may be given to the respondents to refund the amount.

In the counter-affidavit filed by Respondent Nos.1 and 2, they have admitted that no licence in IL-24 B was granted to the petitioner for the subsequent period and pleaded ignorance of the remittance of the amount by the petitioner.

During the course of arguments, learned counsel for the petitioner produced a memo dated 08.10.2004 issued by the first respondent to the second respondent to submit a report to the Deputy Commissioner on the basis of the representation made by the

petitioner on 05.10.2004.

In the circumstances stated supra, with a direction to the respondents to take a decision on the representation of the petitioner regarding refund of the amount and pass appropriate orders within a period of two months from the date of receipt of a copy of this order, the writ petition is disposed of. No costs.

JUSTICE C.Y.SOMAYAJULU

28th NOVEMBER, 2007

PGS

THE HONOURABLE SRI JUSTICE
C.Y.SOMAYAJULU

WRIT PETITION No.25170 OF 2004

28TH NOVEMBER, 2007

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[1] 2005(4) ALD 837